

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

EUGENE CHICCO REDSTAR, JR.,

Plaintiff,

vs.

KILOLO KIJAKAZI, Acting
Commissioner of Social Security
Administration,

Defendant.

CV 21-39-BLG-TJC

ORDER

Based upon the stipulation of the parties, IT IS HEREBY ORDERED that the Commissioner's final decision is REVERSED and REMANDED for further administrative proceedings under sentence four of 42 U.S.C. § 405(g). On remand, the Administrative Law Judge will:

- (1) Offer Plaintiff the opportunity for a new hearing;
- (2) Further consider the opinion evidence, including the opinion of Hans Bone, PAC, pursuant to 20 C.F.R. §§ 404.1520c and 416.920c; and
- (3) Reevaluate the claimant's subjective testimony, reevaluate the claimant's residual functional capacity, continue with the sequential evaluation, obtain vocational expert testimony, and issue a new decision.

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Upon proper application, Plaintiff may seek an award of reasonable attorney fees pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d).

DATED this 7th day of January, 2022.



TIMOTHY J. CAVAN
United States Magistrate Judge